

Knowing your interest in health care, I wanted to inform you of my concerns regarding what I consider to be the Obama Administration's double standard in the debate on health care reform. As I previously [reported](#), the Administration recently instituted a 'gag order' on Medicare Advantage (MA) providers, essentially preventing them from communicating with their Medicare beneficiary members about the potential impacts of proposed health reform legislation. The 'gag order' was in response to the actions of Humana, a company that manages a Medicare Advantage plan, who had communicated to their enrollees factual information about the impacts of health reform proposals pending on Congress. Specifically, Humana sent their beneficiaries a mailing indicating that proposals in the House's health reform bill to cut funding for Medicare Advantage would negatively impact seniors' benefits. In addition to instituting a broad 'gag order,' the Administration also instituted a formal investigation – all due merely to the efforts of a company to communicate factual information to its customers, albeit information that was inconsistent with the Administration's position on health reform.

The Administration's justification for its actions was that the information was inaccurate, despite the fact that several nonpartisan organizations, including the Congressional Budget Office (CBO), had issued reports that reached the very same conclusion. Since then and after receiving much criticism, the Administration has backed away from their 'gag order.' They have also changed their justification for their actions and are now pointing to existing laws and policies that prohibit taxpayer dollars from being used for lobbying activities. Specifically, in what is essentially a face-saving gesture, they are now arguing that Humana did not follow appropriate steps to ensure taxpayer resources were not being used improperly. That has become the basis for a new set of rules that now must be followed before any MA provider can communicate with their members about the impacts of proposed legislation. And yet the federal Department of Health and Human Services (HHS), the agency that oversees Medicare, itself urges visitors to its website to state their support for the Democratic health care plan in apparent violation of the same laws that expressly prohibit government agencies from using federal funds to lobby for legislation.

Specifically, the HHS website has a link urging visitors to "State Your Support" for the Democrats' government-run health care plan by sending a pre-written letter to the Administration. This [letter](#) is hosted on HealthReform.gov, which states that it "is an official U.S. Government Web site managed by the U.S. Department of Health & Human Services." Section 717 of the Omnibus Appropriations Act of 2009, which funds HHS, expressly prohibits government agencies from using funds for "publicity or propaganda purposes" or for the "preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress."

Taxpayer dollars should not be used to fund government propaganda. The Administration saw fit to hastily limit free speech when faced with factual opposition, regardless of how the communication was paid for, and yet they continue to use taxpayer dollars and the official HHS website to push their misguided plan for a government takeover of health care. I believe this double standard is a continuation of the Chicago-style politics that we've seen from this Administration. The 'gag order' was reversed only after members of Congress, the majority of Americans and media, including the New York Times, stood up and called for the Administration to allow an open debate.

In addition to continuing to pose questions of the Administration as to the justification for their original gag order and investigation, and whether they were politically motivated and initiated, I am urging President Obama and Secretary Sebelius to stop using taxpayer money to lobby for their government-run health care bill. The American people have said loud and clear that they don't want a government takeover of health care, and the government shouldn't be using their money to spread partisan propaganda while attempting to restrict the First Amendment rights of private companies to provide factual information about this dangerous plan.